

# **EXHIBIT A**

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

WAYMO LLC

Plaintiff,

vs.

UBER TECHNOLOGIES, INC.;  
OTTOMOTTO, LLC; OTTO TRUCKING  
LLC

Defendants.

Case No. 3:17-cv-00939-WHA

**PLAINTIFF WAYMO LLC'S FIRST SET  
OF INTERROGATORIES TO  
DEFENDANTS RELATING TO ISSUES  
IN JACOBS LETTER**

Honorable William H. Alsup

**PLAINTIFF'S FIRST SET OF INTERROGATORIES TO DEFENDANTS RELATING TO  
ISSUES IN JACOBS LETTER**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Waymo LLC ("Waymo") requests that Defendant Uber Technologies, Inc. ("Uber") and Ottomotto, LLC ("Otto") (collectively "Defendants") answer under oath the following interrogatories within five (5) calendar days of service. Defendants are subject to a duty to timely supplement all responses to these interrogatories in accordance with Rule 26(e) of the Federal Rules of Civil Procedure.

**DEFINITIONS**

1  
2           1.       “WAYMO” means Waymo LLC and its officers, directors, current and former  
3 employees, counsel, agents, consultants, representatives, and any other persons acting on behalf of  
4 any of the foregoing, and WAYMO’s affiliates, parents, divisions, joint ventures, licensees,  
5 franchisees, assigns, predecessors and successors in interest, and any other legal entities, whether  
6 foreign or domestic, that are owned or controlled by WAYMO, and all predecessors and  
7 successors in interest to such entities, and any entity owned in whole or in part by, affiliated with,  
8 or controlled in whole or in part by WAYMO.

9           2.       “GOOGLE” means Google Inc. and its officers, directors, current and former  
10 employees, counsel, agents, consultants, representatives, and any other persons acting on behalf of  
11 any of the foregoing, and GOOGLE’s affiliates, parents, divisions, joint ventures, licensees,  
12 franchisees, assigns, predecessors and successors in interest, and any other legal entities, whether  
13 foreign or domestic, that are owned or controlled by GOOGLE, and all predecessors and  
14 successors in interest to such entities, and any entity owned in whole or in part by, affiliated with,  
15 or controlled in whole or in part by GOOGLE.

16           3.       “UBER” means Uber Technologies, Inc. and its officers, directors, current and  
17 former employees, counsel, agents, consultants, representatives, and any other persons acting on  
18 behalf of any of the foregoing, and UBER’s affiliates, parents, divisions, joint ventures, licensees,  
19 franchisees, assigns, predecessors and successors in interest, and any other legal entities, whether  
20 foreign or domestic, that are owned or controlled by UBER, and all predecessors and successors in  
21 interest to such entities, and any entity owned in whole or in part by, affiliated with, or controlled  
22 in whole or in part by UBER.

23           4.       “OTTOMOTTO” means Ottomotto, LLC and its officers, directors, current and  
24 former employees, counsel, agents, consultants, representatives, and any other persons acting on  
25 behalf of any of the foregoing, and OTTOMOTTO’s affiliates, parents, divisions, joint ventures,  
26 licensees, franchisees, assigns, predecessors and successors in interest, and any other legal entities,  
27 whether foreign or domestic, that are owned or controlled by OTTOMOTTO, and all predecessors  
28 and successors in interest to such entities, and any entity owned in whole or in part by, affiliated

1 with, or controlled in whole or in part by OTTOMOTTO. For the avoidance of doubt,  
2 OTTOMOTTO includes all former names under which OTTOMOTTO operated, including  
3 without limitation 280 Systems, Inc., 280 Systems, LLC, and Ottomotto, Inc.

4 5. “DEFENDANTS” means UBER and OTTOMOTTO.

5 6. “YOU” or “YOUR” means UBER and OTTOMOTTO.

6 7. “FORMER GOOGLE/WAYMO EMPLOYEE” refers to any current or former  
7 employee of UBER or OTTOMOTTO that previously worked at GOOGLE or WAYMO.

8 8. “DOCUMENTS” shall INCLUDE, without limitation, all written, graphic or  
9 otherwise recorded material, INCLUDING without limitation, electronically stored information  
10 regardless of the form of storage medium, microfilms or other film records or impressions, tape  
11 recordings or computer cards, floppy disks or printouts, any and all papers, photographs, films,  
12 recordings, memoranda, books, records, accounts, communications, letters, telegrams,  
13 correspondence, notes of meetings, notes of conversations, notes of telephone calls, inter-office  
14 memoranda or written communications of any nature, recordings of conversations either in  
15 writings or upon any mechanical or electrical recording devices, INCLUDING e-mail, notes,  
16 papers, reports, analyses, invoices, canceled checks or check stubs, receipts, minutes of meetings,  
17 time sheets, diaries, desk calendars, ledgers, schedules, licenses, financial statements, telephone  
18 bills, logs, and any differing versions of any of the foregoing, whether so denominated, formal,  
19 informal or otherwise, as well as copies of the foregoing which differ in any way, INCLUDING  
20 by the addition of handwritten notations or other written or printed matter of any nature, from the  
21 original. The foregoing specifically INCLUDES information stored in a computer database and  
22 capable of being generated in documentary form, such as electronic mail, text messages (i.e., SMS  
23 messages), other electronic messages including messages sent or received via Slack, WhatsApp,  
24 Google Hangouts, Facebook Messenger, and the like.

25 9. “COMMUNICATIONS” shall mean, without limitation, any transmission,  
26 conveyance or exchange of a word, statement, fact, thing, idea, DOCUMENT, instruction,  
27 information, demand or question by any medium, whether by written, oral or other means,  
28 including but not limited to, electronic communications and electronic mail (“e-mail”).



1 state what efforts were made to obtain the requested information and the facts relied upon that  
2 support the contention that the interrogatories cannot be answered fully and completely; and state  
3 what knowledge, information or belief DEFENDANTS have concerning the unanswered portion  
4 of any such interrogatory.

5       3. If DEFENDANTS' response to a particular Interrogatory is a statement that  
6 DEFENDANTS lack the ability to comply with that Interrogatory, specify whether the inability to  
7 comply is because the particular item or category of information never existed, has been  
8 destroyed, has been lost, misplaced, or stolen, or has never been, or is no longer, in  
9 DEFENDANTS' possession, custody, or control, in which case the name and address of any  
10 person or entity known or believed by DEFENDANTS to have possession, custody, or control of  
11 that information or category of information must be identified.

12       4. If any information requested is claimed to be privileged or otherwise immune from  
13 discovery, provide all information falling within the scope of the interrogatory which is not  
14 privileged, and for each item of information contained in a document to which a claim of privilege  
15 is made, identify such document with sufficient particularity for purposes of a motion to compel,  
16 such identification to include at least the following:

- 17       a. the basis on which the privilege is claimed;
- 18       b. the names and positions of the author of the document and all other persons  
19       participating in the preparation of the document;
- 20       c. the name and position of each individual or other person to whom the document, or  
21       a copy thereof, was sent or otherwise disclosed;
- 22       d. the date of the document;
- 23       e. a description of any accompanying material transmitted with or attached to such  
24       document;
- 25       f. the number of pages in such document;
- 26       g. the particular Interrogatory to which such document is responsive; and
- 27       h. whether any business or non-legal matter is contained or discussed in such  
28       document.

## INTERROGATORIES

For each UBER current or former employee that was aware of the JACOBS LETTER or the JACOBS EMAIL prior to November 22, 2017, identify the name of the current or former employee, whether that person is a current or former employee, and the date on which he or she became aware of the JACOBS LETTER or the JACOBS EMAIL.

By: /s/ Charles K. Verhoeven  
Charles K. Verhoeven  
Attorneys for Plaintiff WAYMO LLC.

**PROOF OF SERVICE**

I, Andrea Pallios Roberts, am employed in the County of San Mateo, State of California. I am over the age of eighteen years and not a party to the within action. My business address is 555 Twin Dolphin Drive, 5<sup>th</sup> Floor, Redwood Shores, California 94065.

On December 8, 2017, I served true copies of the following document(s) described as "PLAINTIFF WAYMO LLC'S FIRST SET OF INTERROGATORIES TO DEFENDANTS RELATING TO ISSUES IN JACOBS LETTER"

on the interested parties in this action as follows:

Recipient	Email Address:
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Case No. 3:17-cv-00939-WHA

PLAINTIFF WAYMO LLC'S SECOND SET OF REQUESTS FOR PRODUCTION TO DEFENDANTS RELATING TO ISSUES IN JACOBS LETTER



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**BY ELECTRONIC MAIL TRANSMISSION:** by electronic mail transmission from andreaproberts@quinnemanuel.com on December 8, 2017, by transmitting a PDF format copy of such document(s) to each such person at the e mail address listed above. The document(s) was/were transmitted by electronic transmission and such transmission was reported as complete and without error.

Executed on December 8, 2017, at Redwood Shores, California.

/s/ Andrea Pallios Roberts  
Andrea Pallios Roberts